

United States District Court, Eastern District of  
New York, held at the Courthouse thereof  
located at 100 Federal Plaza, Central Islip, New  
York on the 1st day of October, 2014.

P R E S E N T :

USMJ: Gary Brown

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

CV 11-4221

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ESTATE OF DANIEL McDONNELL, BY DANIELLE  
McDONNELL, Administratrix, DEVON McDONNELL,  
an infant by his mother and natural guardian,  
DANIELLE McDONNELL and DANIELLE McDONNELL,  
Individually,

**COMPROMISE ORDER**  
**William F. Kuntz II, J.**  
**Gary Brown, M.J.**

Plaintiffs,

-against-

SGT. RICHARD BRESSINGHAM, SGT. HENRY ARNOLD,  
SGT. FRANK PAPPILLO, POLICE OFFICERS RICCARDO  
MASCIO, JOHN McGLYNN, GREGORY JUNGEN, ROBERT  
BODENMILLER, CHRISTOPHER MILLS, ADAM QUINONES,  
RUSS CAPRIA, DANE FLYNN, MICHAEL MANNINO,  
PATRICK AHEARN, and ANDREW YOUNG, and LIEUTENANT  
WILLIAM SCRIMA, INDIVIDUALLY AND IN THEIR CAPACITIES  
AS SUFFOLK COUNTY POLICE OFFICERS, COUNTY OF SUFFOLK,  
SUFFOLK COUNTY POLICE DEPARTMENT and MULTIPLE SUFFOLK  
COUNTY POLICE OFFICERS WHOSE NAMES ARE CURRENTLY  
UNKNOWN,

Defendants  
-----X

Upon reading and filing the annexed Verified Petition of DANIELLE MCDONNEL individually  
and as the parent and natural guardian of DEVON MCDONNELL and the Administration of the  
Estate of DANIEL MCDONNEL, duly verified on the 15<sup>th</sup> day of September, 2014, the annexed  
Affirmation of Stephen Civardi, Esq., attorney for the Plaintiffs, dated the 24<sup>th</sup> day of September,  
2014, and the Exhibits annexed thereto, and it appearing that the Infant-Plaintiff is currently twelve  
(12) years of age, having been born on January 19, 2002, and the Infant, the parent and natural  
guardian and the attorney having appeared before me on the 1st day of October, 2014, and it  
appearing that the best interests of the said Infant will be served, and upon all of the papers,

pleadings and proceedings heretofore had herein,

NOW, on Motion of Stephen Civardi, Esq., of the law firm of Law Offices of Civardi & Obiol, Attorneys for Plaintiffs, it is hereby:

ORDERED, that as parent and natural guardian of the Infant-Plaintiff and Executrix of the Estate of DANIEL MCDONNELL and DANIELLE MCDONNELL, be and hereby is authorized to enter into a compromise and settlement of the within action in the total sum of Two Million, Two Hundred Fifty Thousand (\$2,250,000.00) Dollars and to deliver and execute releases and any and all papers necessary; and make the distribution herein; and it is further

ORDERED, the Defendant, COUNTY OF SUFFOLK, pay to the Plaintiff's attorney, Law Offices of Civardi & Obiol, P.C. the sum of Seven Hundred Eighty-Six Thousand, Two Hundred Thirty-Four and 40/100 (\$786,234.40) Dollars, with Seven Hundred Thirty-One Thousand, Eight Hundred Eighty-Two and 79/100 (\$731,882.79) Dollars being attributed to legal fees and Fifty-Four Thousand, Three Hundred Fifty-One and 61/100 (\$54,351.61) Dollars being attributed as disbursements, as full and fair compensation for services rendered to the Plaintiffs herein; and it is further,

ORDERED, that the Defendant, COUNTY OF SUFFOLK, shall pay to Plaintiff DANIELLE MCDONNELL the sum of Seven Hundred Fifty-Six Thousand, Eight Hundred Eighty-Two and 80/100 (\$756,882.80) Dollars; and it is further,

ORDERED, that the Defendant COUNTY OF SUFFOLK shall pay to Prudential Assigned Settlement Services Corp. the sum of Seven Hundred Six Thousand, Eight Hundred Eighty-Two (\$706,882.80) to fund an annuity contract issued by Prudential Insurance Company of America, rated A+ by A.M. Best Company, and AA- by Standard and Poor's for assignment of its obligation to make future periodic payments to DEVON McDONNELL as follows:

\$2,500 per Month, guaranteed 10 years, beginning at age 22 (on January 19, 2024).  
The last payment will be made on December 19, 2033;

\$70,000 guaranteed lump sum payable at age 25 (on January 19, 2027);

\$80,000 guaranteed lump sum payable at age 30 (on January 19, 2032);

\$15,000 guaranteed lump sum payable at age 22 (on January 19, 2024);

\$3,225.10 per Month for the life of Devon McDonnell, guaranteed 30 years, beginning at age 30 (on January 19, 2032); the last guaranteed payment will be made on December 19, 2061;

or such corresponding payments as may be slightly higher or lower depending on the rates in effect at the time the structured settlement is funded; and it is further,

ORDERED, that said payments constitute damages attributable to conscious pain and suffering for physical injury in a case involving physical injury within the meaning of Section 104(a) (2) and 130 (c) of the Internal Revenue Code of 1986, as amended; and it is further,

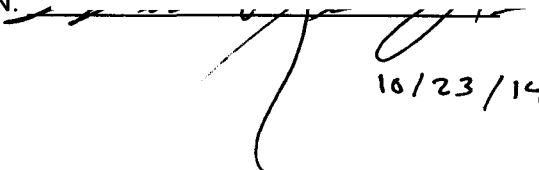
ORDERED, that any payments to be made after the death of DEVON McDONNELL shall be made to such person or entity as shall be designated in writing by said Payee to the Assignee upon reaching the age of majority. If no designation is made by DEVON McDONNELL, such payments shall be made to the Estate of DEVON McDONNELL; and it is further;

ORDERED, that conditioned upon full compliance with the terms of this Order, DANIELLE McDONNELL be and is hereby authorized and empowered to execute and deliver Releases and any other instruments necessary to effectuate the settlement herein; and it is further

ORDERED, that the filing of a bond be dispensed with.

ENTER : s/WFK

HON.

A handwritten signature in black ink, followed by the date 10/23/14 written in black ink.